

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)
_____)

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:)

Suits Naming the Tennessee)
Clinic Defendants)
_____)

**JOINDER IN THE SAINT THOMAS ENTITIES'
PROPOSED BELLWETHER SCHEDULE [Dkt. 2340]**

Defendants Saint Thomas Outpatient Neurosurgical Center, LLC ("STOPNC"); Howell Allen Clinic, a Professional Corporation; John Culclasure, MD; Debra Schamberg, RN, CNOR; Vaughan Allen, MD; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; Kenneth Lister, MD, PC; and Donald E. Jones, MD (collectively "Tennessee Clinic Defendants") hereby join with the Saint Thomas Entities¹, and respectfully request that:

1. The Court adopt the bellwether discovery schedule proposed by the Saint Thomas Entities at Dkt. 2340-1.
2. The Court deny the PSC's inappropriate and untimely request to depart from the bellwether process put in place by this Court. This Court has already considered and rejected the PSC's proposal to consolidate

¹ Saint Thomas Health, Saint Thomas Network, and Saint Thomas West Hospital f/k/a Saint Thomas Hospital.

multiple cases chosen unilaterally by the PSC for a single trial.² There is no reason for the Court to depart from that ruling now.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Chris J. Tardio

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* Admitted pursuant to MDL Order No. 1.

** Admitted *pro hac vice*.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 19th day of October, 2015.

/s/ Chris J. Tardio

Chris J. Tardio

² See PSC's Motion for Entry of Case Management Order Setting an Expedited Trial Date [Dkt. 1716] (requesting that the Court set an expedited trial date for a consolidated trial of six cases unilaterally chosen by the PSC.); see also Order at Dkt. 2075 at p. 6 ("Docket # 1716, the PSC's Motion for Entry of Case Management Order Setting an Expedited Trial Date, is DENIED.")